

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**MAY 29, 2012**  
**COUNCIL CONVENED AT 6:25 P.M.**

1. The invocation was given by Pastor Robert Jones, Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:  

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Timm, Beach,  
Elyea, Beck, McNeely, Robertson -12-

Absent: Jacobson, Johnson (late)
3. Alderman Mark moved to accept the Journal of Proceedings of May 21, 2012, seconded by Alderman Wasco. MOTION PREVAILED (Ald. Jacobson, Johnson absent).

**PUBLIC PARTICIPATION**

4. Prophet Yusef congratulated area high school and college graduates and spoke about overcoming the devil's obstacle and move forward with courage.
5. Bruce Roberts encouraged the aldermen to speak with police officers about their concerns and recommendations for the department and noted he opposes geographic policing.

**PETITIONS AND COMMUNICATIONS**

6. Alderman Thompson-Kelly submitted a request for service at 702 King Street. Referred to Public Works Department.
7. Alderman Thompson-Kelly mentioned she has distributed information regarding Registration of Residential Rental Property to the aldermen for review. She requested the matter be placed on all three standing committee agendas.
8. Alderman Thompson-Kelly called attention to the Memorandum of new committee assignments.
9. Alderman Beach submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming events:
  1. CeaseFire's Basketball and Anti-Violence Shoot-Out and BBQ – 6/6/12
  2. Rockford First, Car, Truck and Motorcycle Show – 6/10/12
  3. Latham Tap's Band Nite – 6/10/12
  4. Singing with the Stars – 6/30/12
  5. Singing with the Stars – 7/28/12

Referred to Code and Regulation Committee.

10. Alderman Beck submitted a Memorandum from Jeremy Carter, City Traffic Engineer, regarding City-State Agreement: Ethel Avenue Turn Lane – Additional Curb & Gutter Work. Referred to Finance and Personnel Committee.
11. Alderman Wasco, on behalf of Alderman Hervey, submitted six (6) requests for service. Referred to Public Works Department and Community Development/Code Enforcement.
12. Alderman Elyea submitted a Memorandum from Reid Montgomery, Director of Community and Economic Development, regarding Rockford's Economic Development, Education and Entrepreneurship Network funding. Referred to Planning and Development Committee.
13. Alderman Elyea submitted a request a street light to be installed near the MotherHouse Crisis-Nursery. Referred to Public Works Department.
14. Alderman Elyea submitted a copy of Illinois HB 5278 which is designed to help improve prosecutor's ability to use our state's anti-trafficking laws and ensure that more resources are collected to support services for survivors. Referred to Legal Department, Police Department and Mayor Morrissey's Office.
15. Alderman McNeely submitted 100 (one hundred) requests for service. Referred to Public Works Department and Community Development/Code Enforcement.

Alderman Johnson joined the meeting at 6:35 pm.

### **NEW COMMITTEE REPORTS**

16. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Engineering Agreement Amendment: South Main St. Corridor Lighting Improvements be made to Crawford, Murphy & Tilly, Inc. for an additional \$24,400.00 for a total not-to-exceed cost of \$102,700.00 for additional design services relating to the Illinois Dept. of Transportation's IL-2 roadway reconstruction project. The funding source is Sales Tax funds. LAID OVER.
17. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: West State St. Plan Revisions – Sunset Ave. to Kent Creek be made to McDonough Associates, Inc. to perform desired City updates to the Illinois Dept. of Transportation's plan for West State St. for a total not-to-exceed cost of \$77,086.55. The funding source is Sales Tax funds. LAID OVER.
18. Alderman Beck read a Finance and Personnel Committee Report recommending approval of the Amendment to Professional Services Contract with Fehr-Graham & Associates to include \$83,000 environmental consultants' fees and the remaining \$17,000 allocated to the IEPA SRP review fees for a total cost of no more than \$100,000. The funding source is Illinois EPA River Edge funds. LAID OVER.

**2012-198CR**

19. Alderman Beck read a Finance and Personnel Committee Report recommending the City Council amend the Compensation Ordinance to provide the structural changes in salaries as set forth in the memorandum from the Human Resources Director dated May 11, 2012. The funding source shall be City Department operating budgets. The legal director shall prepare the appropriate ordinance.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Alderman Jacobson absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Johnson, Timm, Beach, Beck, Robertson -8-  
Nays: Wasco, Hervey, Thompson-Kelly, Elyea, McNeely -5-  
Absent: Jacobson -1-

**2012-199CR**

20. Alderman Beck read a Finance and Personnel Committee Report recommending the Award of Consultant Services for Keith Creek Buy-Out 3 Grant Administration be made to Ellen Burgess, Inc. to perform grant administration services for a total not-to-exceed cost of \$33,000.00. The funding for this project will come from Department of Commerce and Economic Opportunity Buy-Out 3 grant funds.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Alderman Jacobson absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Jacobson -1-

**2012-200CR**

21. Alderman Beck read a Finance and Personnel Committee Report recommending approval of the Head Start Waiver for an increase from 2.75 to 3 hrs. for Head Start center-based classrooms in proposed collaboration with Rockford Public Schools at Dennis Early Childhood Center.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Alderman Jacobson absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Jacobson -1-

22. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 29, 2012 in the amount of \$1,445,826.99. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: -0-  
Absent: Jacobson -1-

23. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a liquor store in the name of Shantilai Patel d/b/a Pridom Liquors in a C-3, Commercial General District located at 2428 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of Building Permits for Staff review and approval
4. The hours of operation will be limited to 9:00 am to 11:00 pm Monday through Thursday.
5. The hours of operation will be limited to 9:00 am to Midnight (12:00) Friday through Saturday.
6. The hours of operation will be limited to 11:00 am to 11:00 pm on Sunday.
7. The sale of alcohol shall be limited to the interior site plan that was submitted Exhibit D.
8. The landscaping will need to be installed in accordance with Exhibit G the approved landscaping plan.
9. Window display signage is limited to 30% of window area.
10. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

24. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink in conjunction with a restaurant in the name of **Adrian Canelo d/b/a La Esquina De Oro Restaurant** in a C-2, Limited Commercial District located at 3840 Broadway. Approval is subject to the following conditions:

1. Meeting all applicable City of Rockford Liquor Codes.
2. Meeting all applicable Building and Fire Codes.
3. Hours are limited to Sunday through Saturday 11:00 am to 2:00 am
4. That the sale of liquor by the drink to be in conjunction with a restaurant.
5. Inside window signage shall not exceed 35%
6. The sale of liquor by the drink shall be limited to the tenant space shown as Exhibit E as the interior floor plan.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

25. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of package beer and wine in conjunction with a gas station in the name of **Chanpal Chumon d/b/a Alpine Marathon**, in an R-4, Multi-family Residential District and C-3, Commercial General District located at 3299 South Alpine Road. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. The hours of operation be in conformance with the Liquor Code.
3. The sale of alcohol shall be limited to the interior site plan that was submitted Exhibit E.
4. The landscaping areas are weeded and the dead plant materials removed. That two ornamental trees are planted along South Alpine and three shade trees are planted along Mayflower.
5. That the window display signage shall not exceed 30% of window area and all temporary outdoor signs shall be removed.
6. That the exterior of the building shall have all temporary signs and graffiti removed.
7. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

26. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink and package with a restaurant and market with an outdoor seating area in a C-3, Commercial General District in the name of **Phillippe A. Forciolo d/b/a Green Fire Market**, in a C-3, Commercial General District located at 6795 East Riverside Boulevard. Approval is subject to the following conditions:

1. Meeting all applicable City of Rockford Liquor Codes.
2. Meeting all applicable Building and Fire Codes.
3. That there shall be no cover charge and may not function as a night club or have a dance floor/stage area over 150 square feet.
4. Hours are limited to Sunday through Saturday 6:30 am to 2:00 am
5. That the outdoor seating area must close by 10:00 pm during the weekdays and midnight on weekends.
6. The plan for the outdoor seating area must be reviewed by staff and must meet the required code prior to issuance of a building permit.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

27. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation to reduce the required rear yard setback along the east property line from 30 feet to 6 feet in an R-1, Single-family Residential Zoning District located at 884 Phelps Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.

2. Submittal of a Building Permit for Staff review and approval prior to construction.
3. The existing driveway and apron along Phelps Avenue will need to be replaced with topsoil and grass seed when the new driveway is constructed.
4. The future driveway will require a concrete sidewalk through the driveway.

The Legal Director is hereby instructed to prepare the necessary Ordinance. LAID OVER.

#### **2012-201CR**

28. Alderman Beach read a Code and Regulation Committee Report SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of alcohol by the drink in conjunction with a hotel, full service restaurant and bar and outdoor seating area in the name of **Chad Ahrens d/b/a Courtyard by Marriott** in a C-3, Commercial General District located at 7676 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable City of Rockford Liquor Codes
2. Meeting all applicable Building and Fire Codes.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Alderman Jacobson absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
 Nays: -0-  
 Absent: Jacobson -1-

#### **2012-202CR**

29. Alderman Beach read a Code and Regulation Committee Report recommending the approval of the agreement detailed in the Settlement Agreement in Malone v. City of Rockford, et al. Terms of the agreement Ms. Malone shall receive \$7,500.00.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Alderman Jacobson absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-  
 Nays: -0-  
 Abstain: Hervey -1-  
 Absent: Jacobson -1-

#### **2012-203CR**

30. Alderman Elyea read a Planning and Development Committee Report recommending approval of the CDBG Funding for Zina Horton (Zammuto's 725 Kent Street).

Alderman Beach moved to suspend Rule 11, seconded by Alderman Timm. MOTION PREVAILED (Alderman Jacobson absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Abstain: Hervey -1-  
Absent: Jacobson -1-

### **OFFICERS REPORTS**

31. Mayor Morrissey advised the new committee assignments will be effective for meetings beginning on June 4, 2012:

#### Codes and Regulation Committee:

Alderman Doug Mark (D) – Chairman  
Alderman Tim Durkee (R) – Vice-Chairman  
Alderman Frank Beach (R)  
Alderman Nancy Johnson (D)  
Alderman Bill Timm (R)

#### Finance and Personnel Committee:

Alderman Carl Wasco (D) – Chairman  
Alderman John Beck (R) – Vice-Chairman  
Alderman Ann Thompson-Kelly (D)  
Alderman Bill Robertson (D)  
Alderman Venita Hervey (D)

#### Planning and Development Committee:

Alderman Lenny Jacobson (D) – Chairman  
Alderman Pat Curran (R) – Vice-Chairman  
Alderman Karen Elyea (D)  
Alderman Linda McNeely (D)

#### Ad-Hoc Labor Negotiations Committee:

Alderman Venita Hervey (D) – Chairman  
Alderman Tim Durkee (R) – Vice-Chairman  
Alderman Thompson-Kelly (D)  
Alderman Doug Mark (R)

#### Agency Appointments:

Rockford Area Arts Council

#### Alderman

Alderman Beck

Rockford Area Convention/Visitors Bureau	Alderman Curran
Rockford Area Venue/Entertainment Authority	Alderman Beach, Jacobson
Rockford Area Economic Development Council	Alderman Wasco, Hervey
Rockford Local Development Council	Alderman Durkee, McNeely
Community Action Agency	Alderman Robertson
Historic Preservation Council	Alderman Mark
Liquor Commission	Ald. Jacobson, Johnson, McNeely
Winnebago County Health Department	Alderman Robertson

City/County Task Force on Intergovernmental Cooperation:      Alderman

Fleet Management/Maintenance	Ald. Curran, Johnson
Purchasing/Facilities	Ald. Mark, Robertson
City 911, 211, 311, Win Cart	Ald. Beach, Timm
Public Housing	Ald. Hervey,
	Thompson-Kelly
Cooperation Policing	Ald. Durkee, Jacobson

32. Mayor Morrissey suggested scheduling a meeting of the whole to discuss Alderman Thompson-Kelly's proposal of Registration of Residential Rental Property.
33. Mayor Morrissey called attention to a Memorandum from Tim Holdeman, Water Superintendent, announcing the Solar Panel Project Ribbon-Cutting Ceremony to be held Wednesday, May 30, 2012 at 4:00 pm at 1780 Bell School Road, Well 31.
34. Mayor Morrissey also mentioned a Memorandum from Mark Stockman, Street and Transportation Superintendent, which provides an update regarding the outsourcing of city street sweeping to Elgin Sweeping Services.
35. Mayor Morrissey mentioned a Resolution regarding the City's position on the Lindenwood Road Landfill is up for full council consideration tonight which identifies staff and community concerns.
36. Mayor Morrissey explained community partnerships are vital to reducing violence, and due to budget constraints, we need to identify alternative sources of funding for neighborhood networks and organizations to maintain a powerful community presence.
37. Mayor Morrissey reported the Rockford School District 205 approved the High School Academy, redesign of the high schools, at the school district meeting last week.
38. Mary Morrissey also reported a press conference was held announcing the JiET-A Program, Joint Institute and Engineering Technology Aerospace, which connects employers to education partners to match students with local companies in the aerospace industry.
39. Mayor Morrissey advised city council has already approved funding for the next phase of demolitions and clean-up of Keith Creek, however, we are still waiting for the State to approve their funding to move forward.



40. Mayor Morrissey offered his support for the work being done on pension reform; he believes that reform needs to occur for the police and fire pensions.
40. Mayor Morrissey offered his support of the gaming bill that passed the State House.
41. Mayor Morrissey reported the State is proposing an early release program for inmates in the state penitentiary system, he stated that a re-entry program is vital for these inmates and our community.
42. Alderman Thompson-Kelly thanked Mayor Morrissey for suggesting a meeting of the whole to discuss a proposed Registration of Residential Rental Program.
43. Alderman Thompson-Kelly thanked city staff for participating at the meeting held on Thursday night for business owners on Auburn Street.
44. Alderman Wasco mentioned attending the grand opening of the RMTD Terminal on Lyford Road and was informed a police substation has been considered as a possible location in the future.
46. Alderman Wasco appreciates ComEd investing over 7 million dollars in a training center with a commitment to recruit students from our area schools to train at the facility.
47. Alderman Wasco thanked the aldermen that were able to march in the Memorial Day parade. He encouraged everyone to honor not only our veteran's but all citizens that put their lives on the line every day.
48. Alderman Wasco reported ComEd is a few days away from completing the project to redirect electric lines underground in the areas previously affected by numerous outages.

Alderman Curran exited the meeting at 7:10 pm

49. Alderman Mark announced the City Market will be opening this Friday, June 1<sup>st</sup> for the third year and expanding its hours from 3:00 pm to 8:00 pm.
50. Alderman Mark announced The District Restaurant will be hosting a soft opening tonight and suggested the caucus attend the event. He also mentioned their grand opening will be on Friday, June 1<sup>st</sup>.
51. Alderman McNeely appreciated Mayor Morrissey's comments concerning violence in the community and asked if crimes involving guns are tracked in a system.

Police Chief Epperson informed her that every illegal firearm recovered is entered in a national data base administered through (ATF), Alcohol, Tobacco and Firearms Department.

Mayor Morrissey commented the Illinois State Police also has a data base that tracks a firearm from the original sale.

52. Alderman McNeely expressed concern that the proposed reduction in Medicare will not only impact our elderly residents but the entire community.

Mayor Morrissey believes the proposed bill will impact Medicaid and he too is concerned with the impact on our community.

53. Alderman McNeely mentioned reading an article in the local paper about the Rockford Housing Authority and asked for an update.

Mayor Morrissey advised there is on-going discussion with RHA as they transition.

54. Alderman Wasco requested a copy of the street light policy.

55. Alderman Thompson-Kelly responded to Alderman McNeely's request for a list of summer events/funding, meetings are held every Friday.

56. Alderman Elyea thanked Police Chief Epperson and officers for their diligent efforts to apprehend and arrest the suspect in the home invasion on Parmele last week.

## **UNFINISHED BUSINESS**

### **2012-204CR**

57. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance repealing the "No Parking Saturday PM and Sunday AM" restriction on the south side of Bell Avenue from Ridge Avenue to 200 feet west of Ridge Avenue, thus leaving the existing "No Parking Saturday PM and Sunday AM" restriction on the south side of Bell Avenue from Rockton Avenue to 200 feet west of Ridge Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-

Nays: -0-

Absent: Curran, Jacobson -2-

### **2012-205CR**

58. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a "20 mph School Speed Limit" on Rockton Avenue from Knight Avenue to Custer Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-

Nays: -0-

Absent: Curran, Jacobson -2-

**2012-206CR**

59. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a "No Parking Anytime" Tow Away Zone on the east side of Court Street from Chestnut Street to Green Street, thus repealing the existing "2 Hour Parking" restriction. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Curran, Jacobson -2-

**2012-207CR**

60. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance for a "US Marshall Parking Only" Tow Away Zone on the east side of Court Street from Cedar Street to Green Street, thus repealing the existing "2 Hour Parking" restriction. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Curran, Jacobson -2-

**2012-208CR**

61. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:
1. Request from the 6<sup>th</sup> Ward to establish stop control of Marshall Street stopping for Sawyer Road at the intersection of Marshall Street and Sawyer Road.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Curran, Jacobson -2-

**2012-209CR**

62. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the amendments to Chapter 16, Article 127, of the City of Rockford Code of Ordinances regarding snow emergency parking, repealing the sunset clause and replacing any provisions, as attached hereto. The Legal Director shall prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Curran, Jacobson -2-

**2012-210CR**

63. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the honorary street name change of Yonge Street from Rockton Avenue to Kilburn to Bishop Leonard E. James Sr. Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Curran, Jacobson -2-

**2012-082-O**

64. Alderman Beach moved the adoption of an Ordinance amending Chapter 16, Article VII, Section 16-127 and Section 16-128 of the Code of Ordinances of the City of Rockford regarding snow emergency parking, repealing the sunset clause and replacing any provisions. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Curran, Jacobson -2-

**2012-083-O**

65. Alderman Beach moved the adoption of an Ordinance amending sanitary sewer easement to Rock River Reclamation District through City of Rockford property. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Absent: Curran, Jacobson -2-

**2012-084-O**

66. Alderman Beach moved the adoption of an Ordinance amending Section 4-28 of the Code of Ordinances prohibiting the sale of animals at swap meets, flea markets and public property. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm,  
Beach, Elyea, Beck, Robertson -11-  
Nays: McNeely -1-  
Absent: Curran, Jacobson -2-

**2012-211CR**

67. Alderman Elyea moved the adoption of a Planning and Development Committee Report recommending approval of the CDBG Funding for the Regional Access Mobilization Project (RAMP). MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -11-  
Nays: Hervey -1-  
Absent: Curran, Jacobson -2-

Alderman Curran re-joined the meeting at 7:21 pm.

**2012-212CR**

68. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Tax Exempt Lease for Police Squads and Unmarked Cars be made to JP Morgan Chase Bank, of Chicago, Illinois for an annual interest rate of 1.27% for the estimated lease total of \$1.4 million. The funding source is Police & Fire Department Budgets for 2013. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -11-  
Nays: Hervey, McNeely -2-  
Absent: Jacobson -1-

**2012-085-O**

69. Alderman Beck moved the adoption of an Ordinance authorizing the Mayor and Legal Director to enter into the attached retainer agreement with Attorney Ronald Schultz for Legal Services. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -12-  
Nays: McNeely -1-  
Absent: Jacobson -1-

**MOTIONS AND RESOLUTIONS**

**2012-075R**

70. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for the Wind Riders MC requesting a special event permit and liquor permit for consumption of liquor outdoors on private property ("S" license) for the Same Wind Riders MC 6<sup>th</sup> Annual Pig Roast on June 9, 2012 from 10:00 am – 2:00 pm located at 803 South Central Avenue.

**2012-076R**

71. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for St. Edwards Church requesting a special event permit and liquor permit for consumption of liquor outdoors on private property ("S" license) for the St. Edward's Summerfest on June 24, 2012 from 10:00 am – 8:00 pm located at 3004 11<sup>th</sup> Street.

**2012-077R**

72. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Miracle Mile Organization requesting a special use permit for the

Third Annual Naschair Challenge on June 14, 2012 from 5:00 pm – 7:30 pm located at 4007 East State Street. MOTION PREVAILED (Ald. Jacobson absent).

**2012-078R**

73. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Miracle Mile Organization requesting a special use permit for the 12<sup>th</sup> Annual Miracle Mile Car Show on October 6, 2012 from 7:30 am – 5:30 pm located at 4007 East State Street. MOTION PREVAILED (Ald. Jacobson absent).

**2012-079R**

74. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a resolution authorizing the Central Services Manager to take bids for the following:

A. Bid: Police Uniform Shoes, funding source: Police Operating Budget

B. Bid: N. Main & Auburn Street Demolitions, Package A, funding source: State Funding

MOTION PREVAILED (Ald. McNeely voted no; Ald. Jacobson absent).

**2012-080R**

75. Alderman Elyea, on behalf of the Planning and Development Committee, moved the adoption of a Resolution regarding the City's position on the Lindenwood Road Landfill. MOTION PREVAILED (Ald. Jacobson absent).

**NEW BUSINESS**

76. Alderman Beck introduced and read an Ordinance amending the compensation ordinance and authorizing the structural changes set forth in the May 11, 2012 memorandum from the Human Resources Director. LAID OVER.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION FAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Beck, Robertson -4-

Nays: Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach, Elyea, McNeely -9-

Absent: Jacobson -1-

77. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 307 of the Code of Ordinances of the City of Rockford to add the following:

"US Marshall Parking Only" Tow Away Zone on the east side of Court Street from Cedar Street to Green Street, thus repealing the existing "2 Hour Parking" restriction. LAID OVER.

78. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 313 of the Code of Ordinances of the City of Rockford to add the following:

The "No Parking Saturday PM and Sunday AM" restriction on the south side of Bell Avenue from Ridge Avenue to 200 feet west of Ridge Avenue, in accordance with 16-164 of the Code of Ordinances, thus leaving the existing "No Parking Saturday PM and Sunday AM" restriction on the south side of Bell Avenue from Rockton Avenue to 200 feet west of Ridge Avenue. LAID OVER.

79. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 195 of the Code of Ordinances of the City of Rockford to add the following:

"20 MPH School Speed Limit" on Rockton Avenue from Knight Avenue to Custer Avenue.

LAID OVER.

80. Alderman Beach introduced and read an Ordinance amending Chapter 16, Schedule Section 280 of the Code of Ordinances of the City of Rockford to add the following:

"No Parking Anytime" Tow Away Zone on the east side of Court Street from Chestnut Street to Green Street, thus repealing the existing "2 Hour Parking" restriction.

LAID OVER.

81. Alderman Beach introduced and read an Ordinance for the honorary designation of Yonge Street from Rockton Avenue to Kilburn Avenue be named "Bishop Leonard E. James, Sr., Avenue". LAID OVER.

**2012-086-O**

82. Alderman Beach introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinance of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

**Chad Ahrens d/b/a Courtyard by Marriott** for modification of the sale of alcohol by the drink in conjunction with a hotel, full service restaurant and bar, and outdoor seating in a C-3, Commercial General District located at 767 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable City of Rockford Liquor Codes.
2. Meeting all applicable Building and Fire Codes.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Alderman Jacobson absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes:	Durkee, Curran, Mark, Wasco, Hervey, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays:	-0-
Absent:	Jacobson -1-

83. Alderman Elyea introduced and read an Ordinance approving the Agreement for \$15,000 in CDBG Grant Assistance to the Regional Access Mobilization Project (RAMP). LAID OVER.

**2012-087-O**

84. Alderman Elyea introduced and read an Ordinance approving the Agreement for \$25,000 in CDBG Grant Assistance to Zina Horton D.B.A Zammuto's at 725 Kent Street.).

Alderman Elyea moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Alderman Jacobson absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-  
Nays: -0-  
Abstain: Hervey -1-  
Absent: Jacobson -1-

85. Alderman Beck moved to convene into closed session in order to discuss collective negotiation matters and real estate acquisition and disposition, seconded by Alderman Wasco. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Wasco, Thompson-Kelly, Johnson, Timm, Beach, Beck, McNeely, Robertson -11-  
Nays: Mark, Elyea -2-  
Absent: Jacobson -1-

The meeting went into closed session at 7:42 p.m.

The meeting returned to open session at 8:51 p.m. and found the following aldermen present:

Durkee, Wasco, Thompson-Kelly, Timm, Beach, McNeely, Robertson -7-

86. Upon motion duly made and seconded, the meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Diane Reed  
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]



**CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS**  
**City Council Chambers, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**June 4, 2012**  
**6:00 P.M.**  
**AGENDA**

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)
- Officers Reports

**UNFINISHED BUSINESS**

**I. COMMITTEE REPORTS LAID OVER MAY 29, 2012**

1. Beck - Finance and Personnel - Recommending the award for Engineering Agreement Amendment: South Main St. Corridor Lighting Improvements be made to Crawford, Murphy & Tilly, Inc. for an additional \$24,400.00 for a total not-to-exceed cost of \$102,700.00 for additional design services relating to the Illinois Dept. of Transportation's IL-2 roadway reconstruction project. The funding source is Sales Tax funds.
2. Beck - Finance and Personnel - Recommending the award for Engineering Agreement: West State St. Plan Revisions – Sunset Ave. to Kent Creek be made to McDonough Associates, Inc. to perform desired City updates to the Illinois Dept. of Transportation's plan for West State St. for a total not-to-exceed cost of \$77,086.55. The funding source is Sales Tax funds.
3. Beck - Finance and Personnel - Recommending approval of the Amendment to Professional Services Contract with Fehr-Graham & Associates to include \$83,000 environmental consultants' fees and the remaining \$17,000 allocated to the IEPA SRP review fees for a total cost of no more than \$100,000. The funding source is Illinois EPA River Edge funds.
4. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of packaged liquor in conjunction with a liquor store in the name of Shantilai **Patel d/b/a Pridom Liquors in a C-3,**

Commercial General District located at 2428 South Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of Building Permits for Staff review and approval
4. The hours of operation will be limited to 9:00 am to 11:00 pm Monday through Thursday.
5. The hours of operation will be limited to 9:00 am to Midnight (12:00) Friday through Saturday.
6. The hours of operation will be limited to 11:00 am to 11:00 pm on Sunday.
7. The sale of alcohol shall be limited to the interior site plan that was submitted Exhibit D.
8. The landscaping will need to be installed in accordance with Exhibit G the approved landscaping plan.
9. Window display signage is limited to 30% of window area.
10. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

5. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of beer and wine by the drink in conjunction with a restaurant in the name of **Adrian Canelo d/b/a La Esquina De Oro Restaurant** in a C-2, Limited Commercial District located at 3840 Broadway. Approval is subject to the following conditions:

1. Meeting all applicable City of Rockford Liquor Codes.
2. Meeting all applicable Building and Fire Codes.
3. Hours are limited to Sunday through Saturday 11:00 am to 2:00 am
4. That the sale of liquor by the drink to be in conjunction with a restaurant.
5. Inside window signage shall not exceed 35%
6. The sale of liquor by the drink shall be limited to the tenant space shown as Exhibit E as the interior floor plan.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

6. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of package beer and wine in conjunction with a gas station in the name of **Chanpal Chumon d/b/a Alpine Marathon**, in an R-4, Multi-family Residential District and C-3, Commercial General District located at 3299 South Alpine Road. Approval is subject to the following conditions:

1. Compliance with all City of Rockford Liquor Codes.
2. The hours of operation be in conformance with the Liquor Code.
3. The sale of alcohol shall be limited to the interior site plan that was submitted Exhibit E.

4. The landscaping areas are weeded and the dead plant materials removed. That two ornamental trees are planted along South Alpine and three shade trees are planted along Mayflower.
5. That the window display signage shall not exceed 30% of window area and all temporary outdoor signs shall be removed.
6. That the exterior of the building shall have all temporary signs and graffiti removed.
7. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

7. Beach - Code and Regulation - SUSTAINING the Liquor Advisory Board, thereby recommending that City Council APPROVE the sale of liquor by the drink and package with a restaurant and market with an outdoor seating area in a C-3, Commercial General District in the name of **Phillippe A. Forciolo d/b/a Green Fire Market**, in a C-3, Commercial General District located at 6795 East Riverside Boulevard. Approval is subject to the following conditions:

1. Meeting all applicable City of Rockford Liquor Codes.
2. Meeting all applicable Building and Fire Codes.
3. That there shall be no cover charge and may not function as a night club or have a dance floor/stage area over 150 square feet.
4. Hours are limited to Sunday through Saturday 6:30 am to 2:00 am
5. That the outdoor seating area must close by 10:00 pm during the weekdays and midnight on weekends.
6. The plan for the outdoor seating area must be reviewed by staff and must meet the required code prior to issuance of a building permit.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

8. Beach - Code and Regulation - SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE a Variation to reduce the required rear yard setback along the east property line from 30 feet to 6 feet in an R-1, Single-family Residential Zoning District located at 884 Phelps Avenue. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of a Building Permit for Staff review and approval prior to construction.
3. The existing driveway and apron along Phelps Avenue will need to be replaced with topsoil and grass seed when the new driveway is constructed.
4. The future driveway will require a concrete sidewalk through the driveway.

The Legal Director is hereby instructed to prepare the necessary Ordinance.

## **II. ORDINANCES LAID OVER MAY 29, 2012**

1. Beck - Ordinance - Amending the compensation ordinance and authorizing the structural changes set forth in the May 11, 2012 memorandum from the Human Resources Director.
  2. Beach - Ordinance - Amending Chapter 16, Schedule Section 307 of the Code of Ordinances of the City of Rockford to add the following:  
  
"US Marshall Parking Only" Tow Away Zone on the east side of Court Street from Cedar Street to Green Street, thus repealing the existing "2 Hour Parking" restriction.
  3. Beach - Ordinance - Amending Chapter 16, Schedule Section 313 of the Code of Ordinances of the City of Rockford to add the following:  
  
The "No Parking Saturday PM and Sunday AM" restriction on the south side of Bell Avenue from Ridge Avenue to 200 feet west of Ridge Avenue, in accordance with 16-164 of the Code of Ordinances, thus leaving the existing "No Parking Saturday PM and Sunday AM" restriction on the south side of Bell Avenue from Rockton Avenue to 200 feet west of Ridge Avenue.
  4. Beach - Ordinance - Amending Chapter 16, Schedule Section 195 of the Code of Ordinances of the City of Rockford to add the following:  
  
"20 MPH School Speed Limit" on Rockton Avenue from Knight Avenue to Custer Avenue.
  5. Beach - Ordinance - Amending Chapter 16, Schedule Section 280 of the Code of Ordinances of the City of Rockford to add the following:  
  
"No Parking Anytime" Tow Away Zone on the east side of Court Street from Chestnut Street to Green Street, thus repealing the existing "2 Hour Parking" restriction.
  6. Beach - Ordinance - Honorary designation of Yonge Street from Rockton Avenue to Kilburn Avenue be named "Bishop Leonard E. James, Sr., Avenue".
  7. Elyea - Ordinance - Agreement for \$15,000 in CDBG Grant Assistance to the Regional Access Mobilization Project (RAMP).
- Motions and Resolutions

## **III. MOTIONS AND RESOLUTIONS TO BE READ IN JUNE 4, 2012**

1. Mark - CeaseFire's Basketball and Anti-Violence Shoot-Out and BBQ – 6/6/12
2. Mark - Rockford First, Car, Truck and Motorcycle Show – 6/10/12
3. Mark - Latham Tap's Band Nite – 6/10/12
4. Mark - Singing with the Stars – 6/30/12
5. Mark - Singing with the Stars – 7/28/12
6. Mark - Waterfront

**IV. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1.

\* same action taken before

• Adjournment

\* \* \* \* \*

**POSSIBLE ADDITIONAL ITEMS:**

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

**CODE AND REGULATION COMMITTEE**

**Monday, June 4, 2012, 5:15 p.m.**

**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**

**AGENDA**

1. C & R 12-98 Special Events:

a) Cease Fire's Basketball & Anti-Violence Shoot-Out & BBQ, 6/6/12

b) Rockford First Car, Truck & Motorcycle Show, 6/10/12

c) Latham Tap's Band Night, 6/10/12

d) Singing with the Stars, 6/30/12

e) Singing with the Stars, 7/28/12

2. C & R 12-95 Request from On the Waterfront for a Permit

3. C & R 12-82 Amendments to Special Event Ordinance

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, June 4, 2012, 5:15 p.m.**

**Conference Room B, City Hall 2<sup>nd</sup> floor (south room)**

**AGENDA**

1. Purchasing and Vouchers

A. RFP: Emergency Medical Services (Laid over 5/29)

B. Award of Bid: City-Wide Street Repair Group #4 – Suspend rules

- C. Award of Bid: Demolition of Six Properties – Suspend rules
  - D. Engineering Agreement: Conceptual Design – Riverwalk Beattie Park to State Street Bridge
  - E. Resolution for Improvement under the Illinois Highway Code for Harrison Avenue Bridges over CN & UP Railroads
  - F. Resolution to take Proposals
  - G. Vouchers
- 2. City-State Agreement: Ethel Avenue Turn Lane – Additional Curb & Gutter Work
  - 3. Intergovernmental Agreement for Access to the Comptroller's Local Debt Recovery Program (Laid over 5/29)
  - 4. Authorization of Two Agreements with the South Main Shopping Center - Suspend rules

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, June 4, 2012, 5:30 p.m.**

**CD Conference Room, City Hall 2<sup>nd</sup> floor**

**AGENDA**

- 1. Memorandum from Reid Montgomery, Director of Community and Economic Development, regarding Rockford's Economic Development, Education and Entrepreneurship Network (EDEEN).
- 2. Memorandum from Rolling Green Neighborhood Association in support of funding for the Neighborhood Network program.

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, June 4, 2012, \_\_\_\_\_ p.m.**

**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**

**AGENDA**

No Meeting Scheduled.